

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EUNICE MAE VERONICA CHIWEWE, as Personal Representative in the Estate of ROXANNE CRYSTAL JIRON, a deceased minor, EUNICE MAE VERONICA CHIWEWE, as Personal Representative in the Estate of IVAN B. CHIWEWE, deceased, EUNICE MAE VERONICA CHIWEWE, individually, JUAN CRESCENCIO JIRON, ELI CHIWEWE, and CALVIN R. LUCERO,

Plaintiffs,

vs.

Civ. No. 02-0397 JP/LFG-ACE

SANTA FE RAILWAY COMPANY,
AMTRAK, ROBERT H. WILBUR, DAVID SCHUTE, A. NABE, JOHN DOE 1, and JOHN DOE 2,

Defendants.

MEMORANDUM OPINION AND ORDER

On January 13, 2003, the Defendants filed Defendants' Motion for Summary Judgment on Plaintiffs' Claims for Punitive Damages (Doc. No. 58). On February 13, 2003, the Plaintiffs filed a response to this motion for summary judgment in which they agreed "that discovery in this case does not support the claim for punitive damages." Plaintiffs' Memorandum in Opposition to Defendants' Motions for Summary Judgment at 1 (Doc. No. 73). That being the case, the Defendants' Motion for Summary Judgment on Plaintiffs' Claims for Punitive Damages will be granted.

IT IS ORDERED that Defendants' Motion for Summary Judgment on Plaintiffs' Claims for Punitive Damages (Doc. No. 58) is granted and Plaintiffs' claims for punitive damages will be

dismissed with prejudice.



CHIEF UNITED STATES DISTRICT JUDGE